

Jeff Watson

From: Jeff Slothower <Jslothower@lwhsd.com>
Sent: Wednesday, February 25, 2015 4:37 PM
To: Jeff Watson
Cc: Gayle McIntosh
Subject: McIntosh CUP Application

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Jeff

Thanks for taking the time to talk with me about Scott and Gayle McIntosh's small event facility CUP application. As I understand it this is not currently being processed because of uncertainty over the effect of Chapter 13.35 on the application. I assume the issue relates to KCC 13.35.020 which reads as follows:

"13.35.020 Applicability.

All *new uses of water* must comply with KCC [13.35.025](#)-Interim Measures or KCC [13.35.027](#)-Permanent Measures as applicable.

1. applying for a building permit with either:
 1. a proposed new structure which will have potable water or
 2. a proposed change in the number of dwelling units for any existing structures (such as making a single family structure into a duplex); or
2. making applications, including but not limited to, long plats, short plats, binding site plans, large lot subdivisions, or conditional uses, **that require water**.

An Adequate Water Supply Determination shall not be required for building permits that do not require a change in the water system or structures which will not have potable water plumbing. Kittitas County hereby finds that new uses of groundwater that are not mitigated in the Yakima River drainage basin threaten to interfere with senior water rights and stream flows creating a public health and safety threat that warrants elimination of all vesting under [RCW 58.17.170\(3\)](#) for this chapter. Kittitas County hereby eliminates all such vesting pursuant to the authority granted in [RCW 58.17.170\(3\)](#) for this chapter. ([Ord. 2014-005](#), 2014; [Ord. 2011-006](#), 2011)" (Emphasis added)

I fail to see what the problem is. The McIntosh application seeks to conduct a Conditional Use in existing structures on their property which have an existing water system and well. So this is not a "*new use of water*". As a result you never even get to sub paragraph 1 or sub paragraph 2.

I would appreciate it if you could review this again and let me know if the county will now process the application. If there is some other hang up with Chapter 13.35 please let me now what it is.

Thanks

Jeff

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